

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

|                           |   |                            |
|---------------------------|---|----------------------------|
| UNITED STATES OF AMERICA, | ) |                            |
|                           | ) |                            |
| Plaintiff,                | ) | CASE NO. 13 CR 515         |
|                           | ) |                            |
| v.                        | ) |                            |
|                           | ) | JUDGE REBECCA R. PALLMEYER |
| DMITRY FIRTASH, et al.    | ) |                            |
|                           | ) |                            |
| Defendants.               | ) |                            |

**DMITRY FIRTASH’S MOTION TO DISMISS THE INDICTMENT**

Defendant Dmitry Firtash (“Firtash”), by and through his attorneys, hereby moves, pursuant to Federal Rule of Criminal Procedure 12(b), to dismiss the Indictment. First, there is no venue in the Northern District of Illinois and a trial in this district would violate the U.S. Constitution. Second, none of the laws that Firtash is charged with violating properly apply beyond the territory of the United States nor are they domestic as alleged. Third, the prosecution is a violation of Firtash’s due process rights because the United States has no legitimate interest in prosecuting the charged conduct.

In support of this Motion, Firtash submits an accompanying memorandum of law related thereto.

Dated: May 9, 2017

Respectfully submitted,

/s/ Dan K. Webb

Dan K. Webb  
WINSTON & STRAWN LLP  
35 West Wacker Drive  
Chicago, IL 60601  
(312) 558-5600

*Attorney for Dmitry Firtash*

**CERTIFICATE OF SERVICE**

I, Dan K. Webb, hereby certify that on May 9, 2017, the foregoing was served upon the following by electronic mail:

Amarjeet Singh Bhachu  
UNITED STATES ATTORNEY'S OFFICE  
219 South Dearborn Street  
Suite 500  
Chicago, IL 60604  
(312) 353-5300

/s/ Dan K. Webb

Dan K. Webb